

ORIGINAL



0000104235

**BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING
COMMITTEE**

IN THE MATTER OF THE APPLICATION OF
STARWOOD SOLAR I, L.L.C., IN
CONFORMANCE WITH THE REQUIREMENTS
OF ARIZONA REVISED STATUTES, SECTIONS
40-360, et seq., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF A 290 TO
365 MEGAWATT SOLAR THERMAL POWER
PROJECT AND A 500KV TRANSMISSION LINE
ORIGINATING AT THE PLANNED
STARWOOD SOLAR I SUBSTATION TO THE
PLANNED AND PERMITTED DELANY
SUBSTATION AND INCLUDING A 500KV
TRANSMISSION LINE FROM THE PROPOSED
STARWOOD SOLAR I SUBSTATION TO THE
EXISTING HARQUAHALA GENERATING
STATION SWITCHYARD IN MARICOPA
COUNTY, ARIZONA.

Docket No. L-00000MM-09-0446-00150

Case No. 150

Arizona Corporation Commission

DOCKETED

OCT 26 2009

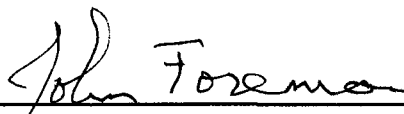
DOCKETED BY

MM

**NOTICE OF FILING E-MAIL
COMMUNICATION**

The Chairman of the Arizona Power Plant and Transmission Line Siting Committee is providing notice of filing the attached e-mail communications that have occurred between the Parties to this case and the Chairman, up to this date, since the previous filing on September 22, 2009.

DATED: October 26, 2009



John Foreman, Chairman
Arizona Power Plant and Transmission
Line Siting Committee
Assistant Attorney General
john.foreman@azag.gov

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

2009 OCT 26 P 12:32

RECEIVED

1 Pursuant to A.A.C. R14-3-204,
2 The Original and 25 copies were
3 filed October 26, 2009 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 W. Washington St.
7 Phoenix, AZ 85007


8 Copy of the above was mailed
9 this 26th day of October, 2009 to:

10 Janice Alward, Chief Counsel
11 Arizona Corporation Commission
12 1200 West Washington Street
13 Phoenix, AZ 85007
14 Counsel for Legal Division Staff

15 Kenneth C. Sundlof, Jr.
16 Jennings, Strouss & Salmon, PLC
17 The Collier Center, 11th Floor
18 201 East Washington Street
19 Phoenix, AZ 85004-2385
20 Counsel for Applicant, Starwood Solar I

21 Lee Allen Johnson
22 1121 W Warner Road, Suite 109
23 Tempe, AZ 85284-2819
24 Counsel for W Harquahala, LLC

25 Marta T. Hetzer
26 Arizona Reporting Service, Inc.
2200 North Central Avenue
Phoenix, Arizona 85004-1481



From: "Maser, Michele R." <MMaser@jsslaw.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 9/23/2009 6:28 PM
Subject: Case No. 150 - Starwood

Hi Tara,

We would like to send the CEC application in binders to the committee members except the two who did not need binders. Please confirm that I am authorized to send these out (without cover letters, etc). Thank you.

Michele

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
F: 602.495.2693

C: 602.463.1082
mmaser@jsslaw.com <mailto:mmaser@jsslaw.com>
www.jsslaw.com <http://www.jsslaw.com/>

This electronic mail is intended to be received and read only by certain individuals. It may contain information that is attorney-client privileged or protected from disclosure by law. If it has been misdirected, or if you suspect you have received this in error, please notify me by replying and then delete both the message and reply. Thank you.

From: Tara Williams
To: Michele R. Maser
Date: 10/1/2009 9:27 AM
Subject: RE: Starwood

Okay, thank you!

Tara

>>> "Maser, Michele R." <MMaser@jsslaw.com> 10/1/2009 9:22 AM >>>
Hi Tara,

It is the intent of Starwood Solar I to proceed with its application under the current schedule. The Applicant will be amending the application to indicate that it does not currently have a purchase power agreement with APS. Because of the difficulties in financing solar power plants, the amendment will also indicate a request for flexibility to build the plant in stages.

Thank you.

Michele

-----Original Message-----

From: Tara Williams [<mailto:Tara.Williams@azag.gov>]
Sent: Thursday, October 01, 2009 8:38 AM
To: Maser, Michele R.
Subject: Starwood

Hi Michele,

The Chairman and I saw the article about Lockheed Martin backing out. Does this mean that the case is being canceled?

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: Tara Williams
To: Michele R. Maser
Date: 10/1/2009 10:16 AM
Subject: RE: #148 Continuation, #150

Great, thank you!

>>> "Maser, Michele R." <MMaser@jsslaw.com> 10/1/2009 10:16 AM >>>
You know, I was thinking about that last night and planned on following
up today or tomorrow. I will let you know hopefully by tomorrow.

Michele

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Thursday, October 01, 2009 10:15 AM
To: Maser, Michele R.
Subject: #148 Continuation, #150

Hi Michele,
I apologize for throwing so many requests and questions at you at once,
but have you obtained the government rate for the Committee at the San
Marcos and the Wigwam? I probably need to let them know soon if any plan
on staying at either location.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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recipient, please contact the sender by reply e-mail and destroy all
copies of the original message.

From: "Sundlof Jr., Kenneth C." <sundlof@jsslaw.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 10/2/2009 8:56 AM
Subject: RE: Starwood Conference

That is acceptable to the applicant, thank you.

Ken

Kenneth C. Sundlof, Jr.
Attorney at Law
Jennings, Strouss & Salmon, PLC
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5946
F: 602.495.2659
C: 602.618.1907
sundlof@jsslaw.com
www.jsslaw.com

This electronic mail is intended to be received and read only by certain individuals. It may contain information that is attorney-client privileged or protected from disclosure by law. If it has been misdirected, or if you suspect you have received this in error, please notify me by replying and then delete both the message and reply. Thank you.

IRS Circular 230 Disclosure: To comply with requirements imposed by the IRS, we inform you that any tax advice contained herein, including attachments, is not intended or written to be used and cannot be used by a taxpayer to (i) avoid tax penalties or (ii) promote, market or recommend a transaction or matter to another person.

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Friday, October 02, 2009 8:55 AM
To: Timothy Hogan; Janice Alward; Sundlof Jr., Kenneth C.
Cc: Maser, Michele R.
Subject: Starwood Conference

Good Morning,

The Chairman would like to move the conference currently scheduled for October 16th at 3:00 PM to 3:30 PM on the same day if that is acceptable to the parties involved.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General

Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: "Maser, Michele R." <MMaser@jsslaw.com>
To: "Tara Williams" <Tara.Williams@azag.gov>, "Timothy Hogan" <THogan@aclpi....>
Date: 10/2/2009 9:18 AM
Subject: RE: Starwood Conference

That is acceptable to Mr. Sundlof.

Michele

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Friday, October 02, 2009 8:55 AM
To: Timothy Hogan; Janice Alward; Sundlof Jr., Kenneth C.
Cc: Maser, Michele R.
Subject: Starwood Conference

Good Morning,

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Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: "Tim Hogan" <thogan@aclpi.org>
To: "Maser, Michele R." <MMaser@jsslaw.com>, "Tara Williams" <Tara.Willi...>
Date: 10/2/2009 11:07 AM
Subject: RE: Starwood Conference

That also works for me.

Tim Hogan
Executive Director
Arizona Center for Law in the Public Interest
202 E. McDowell Rd., Suite 153
Phoenix, AZ 85004
Tel: (602)258-8850

-----Original Message-----

From: Maser, Michele R. [mailto:MMaser@jsslaw.com]
Sent: Friday, October 02, 2009 9:18 AM
To: Tara Williams; Timothy Hogan; Janice Alward; Sundlof Jr., Kenneth C.
Subject: RE: Starwood Conference

That is acceptable to Mr. Sundlof.

Michele

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Friday, October 02, 2009 8:55 AM
To: Timothy Hogan; Janice Alward; Sundlof Jr., Kenneth C.
Cc: Maser, Michele R.
Subject: Starwood Conference

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Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: Tara Williams
To: Alward, Janice; Hogan, Timothy; Sundlof, Kenneth
Date: 10/2/2009 11:14 AM
Subject: #150 Pre-Hearing Conference

CC: Hetzer, Marta; Maser, Michele

Since it works for everyone, the conference set for October 16th at 3:00 PM has been postponed to begin at 3:30 PM on the same day. Please let me know if you have any questions.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: "AZRS" <azrs@az-reporting.com>
To: "Tara Williams" <Tara.Williams@azag.gov>, "Timothy Hogan" <THogan@aclpi....>
Date: 10/2/2009 11:37 AM
Subject: RE: #150 Pre-Hearing Conference

CC: "Michele Maser" <MMaser@jsslaw.com>

Hello, Tara

We will change the starting time to 3:30 p.m.

Thank you.

Marta Hetzer @ AZRS
602-274-9944

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Friday, October 02, 2009 11:15 AM
To: Timothy Hogan; Janice Alward; Kenneth Sundlof
Cc: AZRS; Michele Maser
Subject: #150 Pre-Hearing Conference

Since it works for everyone, the conference set for October 16th at 3:00 PM has been postponed to begin at 3:30 PM on the same day. Please let me know if you have any questions.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: Tara Williams
To: Alward, Janice; Hogan, Timothy; Sundlof, Kenneth
Date: 10/5/2009 1:04 PM
Subject: Starwood Agenda
Attachments: Agenda.pdf

CC: Hetzer, Marta; Maser, Michele

The attached was filed today with ACC Docket Control. Please let me know if you have any questions.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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1
2
3 **BEFORE THE ARIZONA POWER PLANT**
4 **AND TRANSMISSION LINE SITING COMMITTEE**

5 IN THE MATTER OF THE APPLICATION OF
6 STARWOOD SOLAR I, L.L.C., IN CONFORMANCE
7 WITH THE REQUIREMENTS OF ARIZONA
8 REVISED STATUTES, §§ 40-360 *et seq.*, FOR A
9 CERTIFICATE OF ENVIRONMENTAL
10 COMPATIBILITY AUTHORIZING CONSTRUCTION
11 OF A 290 TO 365 MW SOLAR THERMAL POWER
12 PROJECT AND A 500 kV TRANSMISSION LINE
13 ORIGINATING AT THE PLANNED STARWOOD
14 SOLAR I SUBSTATION TO THE PLANNED AND
15 PERMITTED DELANY SUBSTATION AND
16 INCLUDING A 500 kV TRANSMISSION LINE FROM
17 THE PROPOSED STARWOOD SOLAR I
18 SUBSTATION TO THE EXISTING HARQUAHALA
19 GENERATING STATION SWITCHYARD IN
20 MARICOPA COUNTY, ARIZONA.

Docket No. L-00000MM-09-0446-00150

Case No. 150

AGENDA

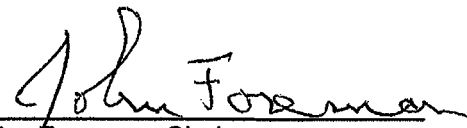
21 Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the general
22 public, the parties and the Arizona Power Plant and Transmission Line Siting Committee
23 ("Committee") that the Committee will hold a meeting/hearing on the above application that is
24 open to the public at the Wigwam Golf Resort & Spa, located at 300 Wigwam Boulevard,
25 Litchfield Park, Arizona 85340; telephone number: (623) 935-3811. The hearing will begin on
26 Monday, October 26, 2009, at 9:30 a.m. It will continue on Tuesday, October 27, 2009, at 8:30
27 a.m., if a tour is taken, otherwise it will begin at 9:30 a.m. If the hearing has not concluded, it will
continue on Wednesday, October 28, 2009, at 9:30 a.m. The hearing will adjourn at
approximately 5:00 p.m. on each day. Public comment will be taken during the hearing at times
designated by the Chairman. Public comment also will be taken in a special evening session on
October 26, 2009, at 6:00 p.m. at the same location. Additional days for the hearing may be set,
or the hearing may conclude earlier than anticipated, depending upon the number of parties that
intervene, the amount of testimony presented, the amount of public comment, and the time
needed for deliberations by the Committee. As a part of the public meeting/hearing, members of
the Committee will discuss the potential value of a tour, and, at the discretion of the Chairman of
the Committee, may tour the proposed power plant location and transmission line route for the
project on October 27, 2009, beginning at 8:30 a.m. At the meeting/hearing, the Committee may
consider, discuss, deliberate and/or vote on the matters on the Agenda. Items on the Agenda
may be taken in a different order than listed as conditions require.

1. Call to Order;
2. Roll Call;
3. Consideration of and vote upon any requests to intervene;
4. Hearing on the application;

- 1 5. Public Comment;
- 2 6. Discussion of potential value of a tour of the proposed route;
- 3 7. If it is decided a tour would be valuable, the Committee will travel along the route,
- 4 following an itinerary which will be available at the hearing. A detailed description of the
- 5 tour route and itinerary, including a map, will be on file at the Arizona Corporation
- 6 Commission. Members of the public may follow the Committee's tour by use of their own
- 7 private vehicles. No testimony or discussion with or between Committee Members about
- 8 the Application or matters relating to the Application will take place, except on the record
- 9 before a court reporter at the designated stops. The Chairman of the Committee will make
- 10 any procedural decisions concerning stops at different points of interest;
- 11 8. Discussion of proposed Findings of Fact, Conclusions of Law, the Certificate of
- 12 Environmental Compatibility and conditions to the Certificate of Environmental
- 13 Compatibility;
- 14 9. Vote and decision concerning Findings of Fact, Conclusions of Law, the Certificate of
- 15 Environmental Compatibility and conditions to the Certificate of Environmental
- 16 Compatibility; and,
- 17 10. Adjournment.

13 Persons with a disability may request a reasonable accommodation, such as a sign
14 language interpreter, by contacting Shaylin Bernal, voice phone number: (602) 542-3931, e-
15 mail: sabernal@azcc.gov. Requests should be made as early as possible to arrange the
16 accommodation. All materials relating to the hearing, including any tour, may be found at the
Docket Control of the Arizona Corporation Commission, 1200 W. Washington, Phoenix, AZ
85007, first floor.

17 DATED this 5th day of October, 2009.

18
19 
20 John Foreman, Chairman
21 Arizona Power Plant and Transmission
22 Line Siting Committee
Assistant Attorney General
john.foreman@azag.gov

23 Pursuant to A.A.C. R14-3-204,
24 The Original and 25 copies were
25 filed this 5th day of October, 2009 with:

26 Docket Control
27 Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

From: Tara Williams
To: Michele R. Maser
Date: 10/13/2009 9:44 AM
Subject: RE: #150

Okay, thanks!

>>> "Maser, Michele R." <MMaser@jsslaw.com> 10/13/2009 9:42 AM >>>
Hi Tara,

I am sorry, I thought I did pass on the information for the Wigwam. It is \$120.00 per night.

Michele

-----Original Message-----

From: Tara Williams [<mailto:Tara.Williams@azag.gov>]
Sent: Tuesday, October 13, 2009 9:41 AM
To: Maser, Michele R.
Subject: #150

Hi Michele,

Thank you for the information on the San Marcos Hotel. Have you received the government rate for the hotel for #150? When you do, I'll pass it on to the Committee.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: "Tim Hogan" <thogan@aclpi.org>
To: "Tara Williams" <Tara.Williams@azag.gov>, "Janice Alward" <JAlward@a...
Date: 10/15/2009 8:18 AM
Subject: RE: #150 Pre-Hearing Conference

CC: "Marta Hetzer" <azrs@az-reporting.com>, "Michele Maser" <MMaser@jssl...
Hi Tara -- I wanted to let you know that the Sierra Club has determined that it will not be participating as a party in this proceeding. It will, however, provide comments on the application either in writing or as part of public comment at the hearing. Therefore, we will not be appearing at the conference tomorrow. Thank you.

Tim Hogan
Executive Director
Arizona Center for Law in the Public Interest
202 E. McDowell Rd., Suite 153
Phoenix, AZ 85004
Tel: (602)258-8850

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Friday, October 02, 2009 11:15 AM
To: Timothy Hogan; Janice Alward; Kenneth Sundlof
Cc: Marta Hetzer; Michele Maser
Subject: #150 Pre-Hearing Conference

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Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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From: Tara Williams
To: Michele R. Maser
Date: 10/15/2009 11:34 AM
Subject: Draft CEC Conditions
Attachments: EMAIL - 468593 - DRAFT CEC CONDITIONS - 2 - PHX.DOC

Michele,

Per your request, please see attached.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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[These are draft conditions to be attached to a proposed Certificate of Environmental Compatibility for consideration by the parties to hearings. They should be considered as a starting point not necessarily an ending point for the discussions the parties are required to hold before and during a hearing concerning the final form of the CEC. Not all draft conditions are appropriate for each case. If the parties agree to use or a party individually wishes to propose different language based upon the language used in a prior CEC approved by the Committee or Commission, please indicate which case the language was taken from and by whom it was approved.]

CONDITIONS

This Certificate is granted upon the following conditions:

1. The Applicant shall obtain all approvals and permits required by the United States, the State of Arizona, the County of [county], and any other governmental entities having jurisdiction necessary to construct the Project.
2. The Applicant shall comply with all existing applicable statutes, ordinances, master plans and regulations of the United States, the State of Arizona, the County of [county], and any other governmental entities having jurisdiction during the construction and operation of the transmission line [power plant].
3. If any archaeological, paleontological or historical site or object that is at least fifty years old is discovered on state, county or municipal land during the construction or operation of the transmission line [power plant], the Applicant or its representative in charge shall promptly report the discovery to the Director of the Arizona State Museum, and in consultation with the Director, shall immediately take all reasonable steps to secure and maintain the preservation of the

discovery as required by A.R.S. § 41-844.

4. If human remains and/or funerary objects are encountered on private land during the course of any ground-disturbing activities relating to the construction or operation of the transmission line [power plant], the Applicant shall cease work on the affected area of the Project and notify the Director of the Arizona State Museum as required by A.R.S. § 41-865.
5. The Applicant shall comply with the notice and salvage requirements of the Arizona Native Plant Law (A.R.S. §§ 3-901 et seq.) and shall, to the extent feasible, minimize the destruction of native plants during the construction and operation of the transmission line [power plant].
6. The Applicant shall not assign this Certificate or its interest in the Project authorized by this Certificate without prior approval of the Commission. Any assignment of this Certificate shall require the assignee to assume all responsibilities of the Applicant listed in this Certificate.
7. This authorization to construct this Project shall expire unless the transmission line [power plant] is capable of operation within five years from the date the Certificate is approved by the Commission. However, prior to expiration, the Applicant or its assignees may request that the Commission extend this time limitation.
8. In the event that the Project requires an extension of the term of this Certificate prior to completion of construction, Applicant shall use reasonable means to notify all landowners and residents within one

mile of the Project corridor [location], all persons who made public comment at this proceeding, and all parties to this proceeding of the request and the date, time and place of the hearing in which the Commission will consider the request for extension.

9. The Applicant shall make every reasonable effort to identify and correct, on a case-specific basis, all complaints of interference with radio or television signals from operation of the transmission lines and related facilities addressed in this Certificate. The Applicant shall maintain written records for a period of five years of all complaints of radio or television interference attributable to operation, together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution shall be noted and explained. Upon request, the written records shall be provided to the Staff of the Commission.
10. Within 120 days of the Commission decision granting this Certificate, Applicant will post signs in public rights-of-way giving notice of the Project corridor to the extent authorized by law. The Applicant shall place signs in prominent locations at reasonable intervals such that the public is notified along the full length of the transmission line until the transmission structures are constructed. To the extent practicable, within 45 days of securing easement or right-of-way for the Project, the Applicant shall erect and maintain signs providing public notice that the property is the site of a future transmission line. Such signage shall be no smaller than a normal roadway sign. The signs shall advise:

- (a) That the site has been approved for the construction of

Project facilities;

- (b) The expected date of completion of the Project facilities;
- (c) A phone number for public information regarding the Project;
- (d) The name of the Project;
- (e) The name of the Applicant; and
- (f) The website of the Project.

11. Applicant, or its assignee(s), shall design the transmission lines to incorporate reasonable measures to minimize impacts to raptors.
12. Applicant, or its assignee(s), shall use non-specular conductors and non-reflective surfaces for transmission line structures.
13. Before construction on this Project may commence, the Applicant shall file a construction mitigation and restoration plan ("Plan") with ACC Docket Control. Where practicable, the Plan shall specify the Applicant's plans for construction access and methods to minimize impacts to wildlife and to minimize vegetation disturbance outside of the Project right-of-way particularly in drainage channels and along stream banks, and shall re-vegetate, unless waived by the landowner, native areas of construction disturbance to its preconstruction state outside of the power-line right of way after construction has been completed. The Plan shall specify the Applicant's plans for coordination with the Arizona Game and Fish Department and the State Historic Preservation Office. The Applicant shall use existing roads for construction and access where practicable and the Plan shall specify the manner in which the Applicant makes use of existing roads.
14. Applicant shall follow any published guidelines adopted by the Arizona Game and Fish Department or the United States Fish and Wildlife Service for handling contacts during the construction and

operation of the Project with any species designated as endangered. Applicant also shall follow any published and adopted guidelines for handling contacts with any species of greatest conservation need as designated by the Arizona Game and Fish Department. If no published and adopted guidelines exist, the Applicant shall use reasonable care to avoid any harm to individuals of the designated species. If the avoidance of harm to individuals is not possible, the Applicant shall contact the Arizona Game and Fish Department and the United States Fish and Wildlife Service to obtain any appropriate permits and guidance for removing the individual members of the species contacted from the area of the Project.

15. With respect to the Project, Applicant shall participate in good faith in state and regional transmission study forums to coordinate transmission expansion plans related to the Project and to resolve transmission constraints in a timely manner.
16. The Applicant shall provide copies of this Certificate to [all affected governmental entities, e.g., affected cities and counties, the Arizona State Land Department, the State Historic Preservation Office, and the Arizona Game and Fish Department].
17. Prior to the date construction commences on this Project, the Applicant shall provide known homebuilders and developers within one mile of the center line of the Certificated route [power plant] the identity, location, and a pictorial depiction of the type of power line [plant] being constructed, accompanied by a written description, and encourage the developers and homebuilders to include this information in the developers' and homebuilders' homeowners' disclosure statements.

18. Before commencing construction of Project facilities located parallel to and within 100 feet of any existing natural gas or hazardous liquid pipeline, the Applicant shall:

(a) Perform the appropriate grounding and cathodic protection studies to show that the Project's location parallel to and within 100 feet of such pipeline results in no material adverse impacts to the pipeline or to public safety when both the pipeline and the Project are in operation. If material adverse impacts are noted in the studies, Applicant shall take appropriate steps to ensure that such material adverse impacts are mitigated. Applicant shall provide to Commission Staff and file with Docket Control reports of studies performed; and

(b) Perform a technical study simulating an outage of the Project that may be caused by the collocation of the Project parallel to and within 100 feet of the existing natural gas or hazardous liquid pipeline. This study should either: i) show that such outage does not result in customer outages; or ii) include operating plans to minimize any resulting customer outages. Applicant shall provide a copy of this study to Commission Staff and file it with Docket Control.

19. Applicant will follow the most current Western Electricity Coordinating Council/North American Electric Reliability Corporation Planning standards as approved by the Federal Energy Regulatory Commission, and National Electrical Safety Code construction standards.
20. The Applicant shall submit a self-certification letter annually,

identifying progress made with respect to each condition contained in the Certificate, including which conditions have been met. Each letter shall be submitted to the Docket Control of the Arizona Corporation Commission on [date not less than 180 nor more than 365 days after approval of the CEC by the Committee]. Attached to each certification letter shall be documentation explaining how compliance with each condition was achieved. Copies of each letter along with the corresponding documentation shall be submitted to the Arizona Attorney General and Department of Commerce Energy Office. The requirement for the self-certification shall expire on the date the Project is placed into operation.

21. Within sixty (60) days of the Commission decision granting this Certificate, the Applicant shall make good faith efforts to commence discussions with private landowners, on whose property the Project corridor is located, to identify the specific location for the Project's right-of-way and placement of poles.
22. The Applicant shall expeditiously pursue reasonable efforts to work with private landowners on whose property the Project right-of-way will be located, to mitigate the impacts of the location, construction, and operation of the Project on private land.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This Certificate incorporates the following findings of fact and conclusions of law:

1. The Project aids the state in meeting the need for an adequate, economical and reliable supply of electric power.
2. The conditions placed on the Project in the CEC by the Committee

effectively minimize the impact of the Project on the environment and ecology of the state.

3. The Project is in the public interest because the Project's contribution to meeting the need for an adequate, economical and reliable supply of electric power outweighs the minimized impact of the Project on the environment and ecology of the state.

Rev'd 10-8-09

From: "Maser, Michele R." <MMaser@jsslaw.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 10/20/2009 12:38 PM
Subject: RE: Case No. 150

Thank you.

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Tuesday, October 20, 2009 12:34 PM
To: Maser, Michele R.
Subject: Re: Case No. 150

Hi Michele,

Mr. Houtz's address is below:

Gregg Houtz
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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>>> "Maser, Michele R." <MMaser@jsslaw.com> 10/20/2009 12:30 PM >>>
Hi Tara,

As we mentioned in the pre-hearing conference on Friday, we will be fedexing the exhibits and pre-filed testimony to the committee members.

Would you please provide me with Greg Houtz' address.

Michele

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
F: 602.495.2693

C: 602.463.1082
mmaser@jsslaw.com <mailto:mmaser@jsslaw.com>
www.jsslaw.com <http://www.jsslaw.com/>

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From: Tara Williams
To: Johnson, Lee
Date: 10/23/2009 10:18 AM
Subject: Starwood Solar Project
Attachments: Procedural Order.pdf; Agenda.pdf

Mr. Johnson,

Per the Chairman, I have attached copies of the Agenda and Procedural Order for you from the Starwood case.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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**BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE**

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IN THE MATTER OF THE APPLICATION OF
STARWOOD SOLAR I, L.L.C., IN CONFORMANCE
WITH THE REQUIREMENTS OF ARIZONA
REVISED STATUTES, §§ 40-360, *et seq.*, FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING CONSTRUCTION
OF A 290 TO 365 MEGAWATT SOLAR THERMAL
POWER PROJECT AND A 500KV TRANSMISSION
LINE ORIGINATING AT THE PLANNED
STARWOOD SOLAR I SUBSTATION TO THE
PLANNED AND PERMITTED DELANY
SUBSTATION AND INCLUDING A 500KV
TRANSMISSION LINE FROM THE PROPOSED
STARWOOD SOLAR I SUBSTATION TO THE
EXISTING HARQUAHALA GENERATING STATION
SWITCHYARD IN MARICOPA COUNTY, ARIZONA.

Arizona Corporation Commission
Docket No. L-00000MM-09-0446-00150
Case No. 150

PROCEDURAL ORDER

An Application for a Certificate of Environmental Compatibility was filed in the above captioned matter with Docket Control of the Arizona Corporation Commission ("Commission") on September 18, 2009. A copy of the Application was transmitted to John Foreman, designee of the Attorney General of Arizona, Terry Goddard, as Chairman ("Chairman") and Presiding Officer of the Arizona Power Plant and Transmission Line Siting Committee ("Line Siting Committee"). A.R.S. §§ 40-360.01(B) (1) and 40-360.03. As authorized by A.R.S. §§ 40-360.01(C) and (D), 40-360.04 and A.A.C. R14-3-201(E), the Chairman issues the following procedural order,

IT IS ORDERED:

1. The Applicant and all other potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)) shall advise the Chairman in writing on or before the time of the pre-hearing conference scheduled below if they disagree that the time limit for decision on the Application by the Line Siting Committee set by A.R.S. § 40-360.04(D) is March 17, 2010.
2. All "persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A) that are listed as parties or potential parties on pleadings or procedural orders filed by the Applicant or the Chairman shall notify Docket Control of their desire to receive pleadings and orders in this matter and shall regularly review the Docket Control file in this matter to make sure they have received all pleadings and procedural orders relating to this case. Neither the Line Siting Committee nor the Chairman has the

1 authority to direct Docket Control to send one of the 25 copies of pleadings and
2 procedural orders filed with Docket Control to prospective parties.

3 3. The Applicant shall arrange for the publication and posting of notice of the
4 evidentiary hearing, as agreed to at the pre-application hearing involving the
5 Applicant and all known potential interveners, in a form approved by the
6 Chairman and circulated for approval as to form to all known potential interested
7 parties. In addition, the Applicant shall submit a copy of the notice and present
8 testimony describing the publication and posting of the notice at the evidentiary
9 hearing.

10 4. The Applicant shall make arrangements for the evidentiary hearing to be held at
11 the Wigwam Golf Resort & Spa, 300 Wigwam Boulevard, Litchfield Park,
12 Arizona, beginning on Monday, October 26, 2009, at 9:30 a.m. and continuing, if
13 necessary, on Tuesday, October 27, 2009, and Wednesday, October 28, 2009,
14 at 9:30 a.m. In addition, the Applicant shall make arrangements for a public
15 comment session to be held at the same venue starting at 6:00 p.m. on Monday,
16 October 26, 2009. The Applicant shall make arrangements for further regular
17 sessions, if needed, and additional public comment sessions, if needed, on dates
18 and at times to be determined later.

19 5. The Applicant shall contact the Chief Finance Officer of the Commission and
20 make financial arrangements regarding hotel reservations and other expenses of
21 the Line Siting Committee Members. The Applicant shall also make
22 arrangements with the Commission concerning reimbursement of the Line Siting
23 Fund should the expenses of the hearings exceed the application fee. A.R.S. §
24 40-360.10. The Applicant shall advise the Chairman of the results of these
25 discussions so the necessary information may be communicated to the Line
26 Siting Committee Members.

6. The Applicant and all other potential parties ("persons" within the meaning of
A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to
A.R.S. § 40-360.05(A)) shall meet and confer, on or before the beginning of the
evidentiary hearing to determine whether any of the intervening parties have
similar interests in the application process that will allow them jointly to present
testimony on direct or cross-examination of witnesses or jointly to offer exhibits
into evidence. The Applicant shall, and any other potential party may, report to
the Chairman the results of the attempts of the parties to resolve the issues and
to determine if common interests exist that will allow parties to jointly present
evidence and argument or to avoid repetition of testimony and argument at the
hearing.

7. The parties and any other potential parties ("persons" within the meaning of

1 A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to
2 A.R.S. § 40-360.05(A)) shall not communicate with any member of the Line
3 Siting Committee about any procedural matters or any factual issues or legal
4 issues relating to the Application while the Application is pending before the Line
5 Siting Committee. The only exception is the parties may communicate with the
6 Chairman, during the time the Application is pending, about procedural matters
7 relating to the preparation of the Application for hearing, the hearing on the
8 Application and the decision on the Application by the Line Siting Committee.
9 Communication of the parties with the Chairman about any procedural matters,
10 during the time an Application is pending, shall be in writing with a copy of the
11 writing to all parties or known potential parties ("persons" within the meaning of
12 A.R.S. § 40-360(8) who have expressed an intention to intervene or request to
13 intervene pursuant to A.R.S. § 40-360.05(A)), or shall be on the record at a pre-
14 application hearing, at a procedural hearing or at the hearing on the Application.
15 Any party who initiates any written communication sent to the Chairman shall
16 file, with Docket Control of the Commission, a copy of the communication,
17 including its distribution list, within 10 days of sending the communication.

- 18
- 19 8. Whenever an agenda is filed pursuant to A.R.S. § 38-431.02, all parties shall
20 submit, at least forty-eight hours before the hearing or meeting described in the
21 agenda, any objections, additions or corrections to the agenda, in order to bring
22 the agenda into compliance with A.R.S. § 38-431.02, in writing to the Chairman,
23 serve a copy upon all other parties and file a copy with Docket Control of the
24 Commission.
- 25 9. In addition, all parties shall meet and confer as needed before, during and after
26 the hearing to attempt to resolve any disputes amongst the parties. The parties
also shall keep all other parties advised of their positions and intentions with
regard to the presentation of evidence, witnesses and the application process in
general to avoid delay, the presentation of repetitive evidence and any unfair
advantage from surprise.
10. All parties shall prepare brief summaries of the expected direct testimony of each
witness they will call. In lieu of a testimonial summary, a party may pre-file and
exchange all or substantially all of the direct testimony of any witness.
Testimonial summaries and pre-filed testimony should be filed no later than the
last pre-hearing conference or three business days before the witness is to
testify, whichever is later. Except for good cause, no witness will be allowed to
testify on direct examination concerning issues not reasonably identified in the
pre-filed testimony or testimonial summary.
11. All parties shall meet, confer and exchange all exhibits the party plans to offer in
evidence before the hearing or before they are referred to in testimony or offered

1 in evidence. The Applicant shall, and other parties may, provide one or more
2 three ring binders for the Chairman and each member of the Line Siting
3 Committee to hold exhibits at the beginning of the hearing and as needed during
4 the hearing. Each party shall prepare a numbered list of the exhibits and a copy
5 of all exhibits suitable for placement in the binders that have been exchanged
6 with the other parties that each party expects to offer in evidence at the hearing
7 for the Chairman and each Line Siting Committee member. The exhibits shall be
8 provided at the beginning of the hearing and during the hearing before reference
9 to the exhibit is made in the hearing. Except for good cause, no exhibit that was
not exchanged with the other parties shall be considered at the hearing. Any
exhibit to which reference is made during any hearing that is not offered or
admitted into evidence shall be provided to the court reporter at the evidentiary
hearing for inclusion in the record unless it is withdrawn, and the Chairman
determines its filing is not necessary to an understanding of the actions of the
Committee.

10 12. All exhibits shall be consecutively numbered with the Applicant's exhibits
11 denominated: SWD-1, SWD-2, etc. Each intervening party will be assigned by
12 the Chairman a letter or letters of the alphabet as a preface with which to
consecutively number its exhibits. For example, the Commission Staff will
number its exhibits: CC-1, CC-2, etc.

13 13. The Applicant may make an opening statement at the beginning of the hearing of
14 no more than thirty minutes. Each other party may make an opening statement
15 of no more than five minutes.

16 14. Public comment will be heard after the opening statements and at other times set
17 by the Chairman during the hearing. See ¶ 3, above.

18 15. In the event the Chairman determines that a tour is appropriate, the Applicant
19 shall arrange for transportation of any Committee Members who wish to attend a
20 tour of the locations where facilities proposed in the Application or similar
21 facilities are located. If a tour is held, it will begin at 8:30 a.m. on Tuesday,
22 October 27, 2009. The Applicant shall submit to the Chairman, for approval in
23 advance of the hearing, a schedule and protocol agreed to by all parties for the
24 tour. If all parties do not agree upon the schedule and protocol for the tour, the
25 disagreements shall be submitted to the Chairman for resolution. The protocol
26 shall identify the tour route, identify the location of any stops, and identify any
witnesses who will accompany the tour. Counsel may ask brief explanatory
questions of the identified witness or witnesses during the stops about the
location, what can be seen from the location of the stop and the relevance of the
location or view to the Application in the discretion of the Chairman. All witnesses
who testify on the tour shall be sworn before their testimony. All questions and

1 answers shall be before a court reporter. No testimony or discussion with or
2 between Committee Members about the Application or matters relating to the
3 Application will take place, except on the record before a court reporter at the
4 designated stops. The protocol shall provide for access to any testimony
5 presented at stops on a tour to members of the public. Members of the public
6 who wish to attend the tour shall be encouraged to notify the parties or the
7 appropriate staff of the Arizona Corporation Commission in advance of their
8 intention to attend.

9 16. Parties may present their witnesses in panels where appropriate. A party that
10 intends to present witnesses in panels shall identify the members of any panel at
11 the time it files its witness summaries.

12 17. The Applicant shall make arrangements for the preparation of expedited court
13 reporter transcripts of all pre-application hearings, pre-hearing procedural
14 hearings and the evidentiary hearing, so that the transcripts are available for
15 public inspection within three working days after each hearing date, as required
16 by A.R.S. § 38-431.01(D) and § 40-360.04(C). In addition, the Applicant shall
17 file a certification with Commission Docket Control that it has provided a copy of
18 the transcripts to at least two public libraries identified in the certification that are
19 in the vicinity of the Application.

20 18. On or before the final pre-hearing procedural hearing set below, the Applicant
21 shall, and the other parties may, file proposed findings of fact, proposed
22 conclusions of law, the wording of any proposed Certificate of Environmental
23 Compatibility and the wording of any proposed conditions to the Certificate.

24 19. If the beginning of closing arguments and the Line Siting Committee's
25 deliberations are more than one week after the beginning of the hearing, the
26 parties shall meet and confer after the hearing begins and before closing
arguments concerning proposed findings of fact, proposed conclusions of law, a
proposed Certificate of Environmental Compatibility and the wording of any
proposed conditions to the Certificate. If the parties are able to agree upon part
or all of the proposed findings of fact, proposed conclusions of law, proposed
forms of a Certificate of Environmental Compatibility and proposed wording of
conditions to the Certificate, all that is agreed upon should be reduced to writing
and filed with Commission Docket Control. If the parties are not able to agree
completely, the Applicant shall, and all other parties may, file proposed findings
of fact, proposed conclusions of law, proposed wording of a Certificate of
Environmental Compatibility and proposed wording of conditions to the
Certificate on the day before the beginning of closing arguments and the Line
Siting Committee's deliberations.

- 1 20. If the Applicant or any other party proposes conditions based upon conditions
2 used in prior cases, each proposed condition from a prior case shall contain the
3 case number of the most recent prior Certificate of Environmental Compatibility
4 using the language approved by the Commission.
- 5 21. All witness summaries, proposed findings of fact, proposed conclusions of law,
6 proposed Certificates of Environmental Compatibility and proposed conditions of
7 Certificates, shall be filed with Commission Docket Control pursuant to A.A.C.
8 R14-3-204 and -205. If any documents that are filed are hand delivered during
9 the hearing, eleven copies shall be submitted to the Chairman for distribution to
10 the other Committee Members.
- 11 22. Within five business days after the hearing concludes and the Committee renders
12 its decision, the parties shall meet and confer in person or electronically to
13 determine if they can agree upon the final wording of a proposed Certificate of
14 Environmental Compatibility. If the parties can agree upon the final wording of a
15 proposed Certificate of Environmental Compatibility, the Applicant shall file
16 forthwith the agreed upon proposed Certificate of Environmental Compatibility to
17 the Chairman for signature. If the parties are not able to agree upon a proposed
18 form of Certificate of Environmental Compatibility, the Applicant shall file, and
19 the other parties may file, within ten days after the date of the decision of the
20 Committee, those portions of the proposed Certificate of Environmental
21 Compatibility upon which the parties agree. The Applicant also shall file, and any
22 other party also may file, its understanding of any disputed portions of the
23 proposed Certificate of Environmental Compatibility. All proposed forms of the
24 Certificate of Environmental Compatibility and any objections or proposed
25 revisions shall be filed with Docket Control of the Commission, and a copy shall
26 be hand delivered to the office of the Chairman at 1275 W. Washington,
Phoenix, Arizona. Objections or suggestions that are not timely filed shall be
considered waived. The copy of the proposed Certificate of Environmental
Compatibility filed by the Applicant and any proposed revisions filed by the
parties that are served upon the Chairman shall include an electronic file
containing the wording of the proposed language in a format compatible with
Microsoft® Word word processing program.
23. The Applicant and all other potential parties ("persons" within the meaning of
A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to
A.R.S. § 40-360.05(A)) shall meet with the Chairman for a final pre-hearing
conference on Friday, October 16, 2009, beginning at 3:00 p.m. at the offices of
the Attorney General of Arizona, 1275 W. Washington, Phoenix, Arizona. Parties
may appear by telephone with the prior permission of the Chairman. At the final
pre-hearing conference, the Chairman will review with the parties:

- 1 a. The publication and posting of notices of the hearing;
2 b. The proposed agenda for the evidentiary hearing;
3 c. Any notices to intervene, applications to intervene, and applications to
4 make a limited appearance;
5 d. The status of attempts to narrow the issues at the evidentiary hearing or to
6 agree to language in the proposed findings of fact, proposed conclusions
7 of law, proposed Certificates of Environmental Compatibility and proposed
8 conditions to the Certificate;
9 e. The status of the filing and exchange of witness summaries or written
10 testimony, proposed findings of fact, proposed conclusions of law,
11 proposed Certificates of Environmental Compatibility and proposed
12 conditions to the Certificate;
13 f. The status of the exchange of exhibits amongst the parties;
14 g. Any objections, motions, responses and legal memoranda that have been
15 filed;
16 h. Plans and preparations for the hearing, public comment session, and tour
17 of the proposed site.

18
19 IT IS FURTHER ORDERED, the Chairman may amend or waive any portion of
20 this Procedural Order by subsequent Procedural Order, by ruling at a pre-hearing
21 conference or at a hearing.
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24 DATED this 22nd day of September, 2009.
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John Foreman
Assistant Attorney General
Chairman
Arizona Power Plant and Transmission
Line Siting Committee
john.foreman@azag.gov

1 Pursuant to A.A.C. R14-3-204,
2 The Original and 25 copies were
3 filed this 22nd day of September, 2009 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 W. Washington Street
7 Phoenix, AZ 85007

8 Copy of the above mailed
9 this 22nd day of September, 2009 to:

10 Janice Alward, Chief Counsel
11 Arizona Corporation Commission
12 1200 West Washington Street
13 Phoenix, AZ 85007
14 Counsel for Legal Division Staff

15 Kenneth C. Sundlof, Jr.
16 Jennings, Strouss & Salmon, PLC
17 The Collier Center, 11th Floor
18 201 East Washington Street
19 Phoenix, AZ 85004-2385
20 Counsel for Applicant, Starwood Solar I

21 Tim Hogan
22 Arizona Center for Law in the Public Interest
23 202 East McDowell Road, Suite 153
24 Phoenix, AZ 85004
25 Counsel for Sierra Club

26 Marta T. Hetzer
Arizona Reporting Service, Inc.
2200 North Central Avenue
Phoenix, AZ 85004-1481

Sara Williams

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**BEFORE THE ARIZONA POWER PLANT
AND TRANSMISSION LINE SITING COMMITTEE**

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IN THE MATTER OF THE APPLICATION OF
STARWOOD SOLAR I, L.L.C., IN CONFORMANCE
WITH THE REQUIREMENTS OF ARIZONA
REVISED STATUTES, §§ 40-360 *et seq.*, FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING CONSTRUCTION
OF A 290 TO 365 MW SOLAR THERMAL POWER
PROJECT AND A 500 KV TRANSMISSION LINE
ORIGINATING AT THE PLANNED STARWOOD
SOLAR I SUBSTATION TO THE PLANNED AND
PERMITTED DELANY SUBSTATION AND
INCLUDING A 500 KV TRANSMISSION LINE FROM
THE PROPOSED STARWOOD SOLAR I
SUBSTATION TO THE EXISTING HARQUAHALA
GENERATING STATION SWITCHYARD IN
MARICOPA COUNTY, ARIZONA.

Docket No. L-00000MM-09-0446-00150

Case No. 150

AGENDA

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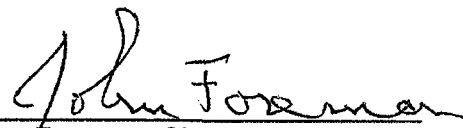
Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the general public, the parties and the Arizona Power Plant and Transmission Line Siting Committee ("Committee") that the Committee will hold a meeting/hearing on the above application that is open to the public at the Wigwam Golf Resort & Spa, located at 300 Wigwam Boulevard, Litchfield Park, Arizona 85340; telephone number: (623) 935-3811. The hearing will begin on Monday, October 26, 2009, at 9:30 a.m. It will continue on Tuesday, October 27, 2009, at 8:30 a.m., if a tour is taken, otherwise it will begin at 9:30 a.m. If the hearing has not concluded, it will continue on Wednesday, October 28, 2009, at 9:30 a.m. The hearing will adjourn at approximately 5:00 p.m. on each day. Public comment will be taken during the hearing at times designated by the Chairman. Public comment also will be taken in a special evening session on October 26, 2009, at 6:00 p.m. at the same location. Additional days for the hearing may be set, or the hearing may conclude earlier than anticipated, depending upon the number of parties that intervene, the amount of testimony presented, the amount of public comment, and the time needed for deliberations by the Committee. As a part of the public meeting/hearing, members of the Committee will discuss the potential value of a tour, and, at the discretion of the Chairman of the Committee, may tour the proposed power plant location and transmission line route for the project on October 27, 2009, beginning at 8:30 a.m. At the meeting/hearing, the Committee may consider, discuss, deliberate and/or vote on the matters on the Agenda. Items on the Agenda may be taken in a different order than listed as conditions require.

1. Call to Order;
2. Roll Call;
3. Consideration of and vote upon any requests to intervene;
4. Hearing on the application;

- 1 5. Public Comment;
- 2 6. Discussion of potential value of a tour of the proposed route;
- 3 7. If it is decided a tour would be valuable, the Committee will travel along the route,
- 4 following an itinerary which will be available at the hearing. A detailed description of the
- 5 tour route and itinerary, including a map, will be on file at the Arizona Corporation
- 6 Commission. Members of the public may follow the Committee's tour by use of their own
- 7 private vehicles. No testimony or discussion with or between Committee Members about
- 8 the Application or matters relating to the Application will take place, except on the record
- 9 before a court reporter at the designated stops. The Chairman of the Committee will make
- 10 any procedural decisions concerning stops at different points of interest;
- 11 8. Discussion of proposed Findings of Fact, Conclusions of Law, the Certificate of
- 12 Environmental Compatibility and conditions to the Certificate of Environmental
- 13 Compatibility;
- 14 9. Vote and decision concerning Findings of Fact, Conclusions of Law, the Certificate of
- 15 Environmental Compatibility and conditions to the Certificate of Environmental
- 16 Compatibility; and,
- 17 10. Adjournment.

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Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Shaylin Bernal, voice phone number: (602) 542-3931, e-mail: sabernal@azcc.gov. Requests should be made as early as possible to arrange the accommodation. All materials relating to the hearing, including any tour, may be found at the Docket Control of the Arizona Corporation Commission, 1200 W. Washington, Phoenix, AZ 85007, first floor.

DATED this 5th day of October, 2009.


John Foreman, Chairman
Arizona Power Plant and Transmission
Line Siting Committee
Assistant Attorney General
john.foreman@azag.gov

Pursuant to A.A.C. R14-3-204,
The Original and 25 copies were
filed this 5th day of October, 2009 with:

Docket Control
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

From: Tara Williams
To: Michele R. Maser
Date: 10/23/2009 11:09 AM
Subject: RE: Paul Rasmussen

Okay, thanks Michele.

>>> "Maser, Michele R." <MMaser@jsslaw.com> 10/23/2009 11:06 AM >>>
I will try to set it up like we did at San Marcos. In any event, I will
be there to assist.

Michele

-----Original Message-----

From: Tara Williams [<mailto:Tara.Williams@azag.gov>]
Sent: Friday, October 23, 2009 11:03 AM
To: Maser, Michele R.
Subject: Re: Paul Rasmussen

Hi Michele,

I spoke with Mr. Rasmussen's secretary, and she will let him know about
the wheelchair. Also, his secretary told me that he will be in the
wheelchair for the next couple of months, so he will be needing
assistance at next week's hearing. Should I have him contact someone
once he arrives?

Tara

>>> "Maser, Michele R." <MMaser@jsslaw.com> 10/23/2009 10:52 AM >>>
Hi Tara,

Mr. Rasmussen left his wheelchair at the San Marcos Resort. It's locked
up in the bellhop's closet if he would like to make arrangements to get
it back. Also, will Mr. Rasmussen need any assistance at next week's
hearing (Starwood)?

Michele

Michele Irons Maser
Legal Assistant
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385
T: 602.262.5983
F: 602.495.2693

C: 602.463.1082
mmaser@jsslaw.com <<mailto:mmaser@jsslaw.com>>
www.jsslaw.com <<http://www.jsslaw.com/>>

This electronic mail is intended to be received and read only by certain
individuals. It may contain information that is attorney-client
privileged or protected from disclosure by law. If it has been
misdirected, or if you suspect you have received this in error, please
notify me by replying and then delete both the message and reply. Thank
you.